



**MICHAEL A. CARDODOZ**  
*Corporation Counsel*

**THE CITY OF NEW YORK  
LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

**CAROLINE CHEN**  
Assistant Corporation Counsel  
Phone: (212) 788-1106  
Fax: (212) 788-0367  
Email: cchen@law.nyc.gov

December 21, 2007

**BY ECF**

Honorable Denny Chin  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007-1312

Re: John Martini v. The City of New York, et al.  
07 CV 8447 (DC)

Your Honor:

I am the Assistant Corporation Counsel assigned to the defense of the City of New York in the above-referenced matter. I write to respectfully request that defendant City of New York be granted a thirty-day enlargement of time from today, until January 21, 2008, to answer or otherwise respond to the complaint. This application is made with plaintiff's counsel's consent.

This is defendant's second request for an enlargement of time to answer or otherwise respond to the complaint. By letter dated November 8, 2007, defendant requested a sixty-day enlargement of time for said purpose. The Court granted said request on November 9, 2007, and the answer is presently due on January 8, 2008.

In the complaint, plaintiff alleges that he was injured as a result of his purported false arrest on July 2, 2006. Therefore, on November 2, 2007, and November 23, 2007, defendant requested that plaintiff provide any medical releases and a release consenting to the designation of the Corporation Counsel as plaintiff's agent for release of records sealed pursuant to New York Criminal Procedure Law §160.50 ("160.50 release"). However, plaintiff delivered said releases only earlier today. Therefore, additional time is necessary for defendant to obtain the documents that will enable this office to investigate the allegations in the complaint.

In light of foregoing, defendant City of New York respectfully requests that the Court grant defendant thirty days from today, or January 21, 2008, to answer or otherwise respond to plaintiff's complaint.

Thank you for your consideration of this request.

Respectfully submitted,

Caroline Chen  
Assistant Corporation Counsel

cc: Arnold Jay Levine, Esq. (by ECF and by fax)  
233 Broadway, Suite 901  
New York, New York 10007

Approved.  
So ordered.

  
wps  
1/7/08